U.S. DISTRICT COURT
EASTERN DISTRICT OF LA

2005 NOV 21 PM 3:24

DOCKET NO. 1657-WHITE
CLERKJUDICIAL PANEL ON
MULTIDISTRICT LITIGATION

NOV - 2 2005

FILED
CLERK'S OFFICEFILED BY
D.C.

2005 DEC 19 PM 3:18

JAMES M. GULD
CLERK
DISTRICT COURT

IN RE VIOXX PRODUCTS LIABILITY LITIGATION

(SEE ATTACHED SCHEDULE)

CONDITIONAL TRANSFER ORDER (CTO-29)

05-2711-D

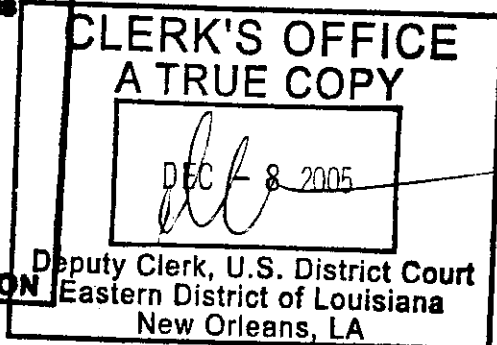
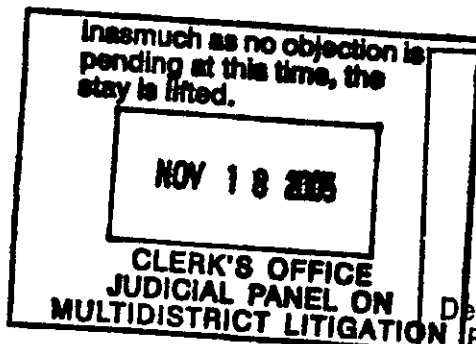
On February 16, 2005, the Panel transferred 138 civil actions to the United States District Court for the Eastern District of Louisiana for coordinated or consolidated pretrial proceedings pursuant to 28 U.S.C. § 1407. Since that time, 2,028 additional actions have been transferred to the Eastern District of Louisiana. With the consent of that court, all such actions have been assigned to the Honorable Eldon E. Fallon.

It appears that the actions on this conditional transfer order involve questions of fact which are common to the actions previously transferred to the Eastern District of Louisiana and assigned to Judge Fallon.

Pursuant to Rule 7.4 of the Rules of Procedure of the Judicial Panel on Multidistrict Litigation, 199 F.R.D. 425, 435-36 (2001), these actions are transferred under 28 U.S.C. § 1407 to the Eastern District of Louisiana for the reasons stated in the order of February 16, 2005, 360 F.Supp.2d 1352 (J.P.M.L. 2005), and, with the consent of that court, assigned to the Honorable Eldon E. Fallon.

This order does not become effective until it is filed in the Office of the Clerk of the United States District Court for the Eastern District of Louisiana. The transmittal of this order to said Clerk shall be stayed fifteen (15) days from the entry thereof and if any party files a notice of opposition with the Clerk of the Panel within this fifteen (15) day period, the stay will be continued until further order of the Panel.

FOR THE PANEL:

Michael J. BeckMichael J. Beck
Clerk of the Panel

Fee _____
 Process _____
☒ Dkt _____
 CtRmDep _____
 Doc. No _____

5

SCHEDULE CTO-29 - TAG-ALONG ACTIONS
DOCKET NO. 1657
IN RE VIOXX PRODUCTS LIABILITY LITIGATION

<u>DIST. DIV. C.A. #</u>	<u>CASE CAPTION</u>	<u>EDLA</u>
KENTUCKY EASTERN		
KYE 0 05-161	Crobie Meade v. Merck & Co., Inc.	05-5735
KYE 0 05-162	Susan Little v. Merck & Co., Inc.	05-5736
KYE 0 05-163	Tina Mullins v. Merck & Co., Inc.	05-5737
KYE 0 05-164	Rickey Emler v. Merck & Co., Inc.	05-5738
KYE 0 05-165	Wilma Lunsford v. Merck & Co., Inc.	05-5739
KYE 0 05-166	Gracie Brown v. Merck & Co., Inc.	05-5740
KYE 0 05-167	Janine Castle v. Merck & Co., Inc.	05-5741
KYE 0 05-168	Opal Balduf v. Merck & Co., Inc.	05-5742
KYE 0 05-169	Steven Bates v. Merck & Co., Inc.	05-5743
KYE 0 05-170	Walter Duncan v. Merck & Co., Inc.	05-5744
KYE 0 05-171	Myra Stewart v. Merck & Co., Inc.	05-5745
KYE 0 05-172	Rosemary Sergeant v. Merck & Co., Inc.	05-5746
KYE 0 05-173	Larry Ross v. Merck & Co., Inc.	05-5747
KYE 0 05-174	Sandra Nethercutt v. Merck & Co., Inc.	05-5748
KYE 0 05-175	Alice Reynolds v. Merck & Co., Inc.	05-5749
KYE 2 05-188	Charles N. Benson, Jr., et al. v. Merck & Co., Inc.	05-5750
KYE 2 05-189	Doris A. Jones v. Merck & Co., Inc.	05-5751
KYE 2 05-191	Michael Deriso, et al. v. Merck & Co., Inc.	05-5752
KYE 2 05-193	Virginia Adcock, et al. v. Merck & Co., Inc.	05-5753
KYE 5 05-392	Jeanette H. Bishop v. Merck & Co., Inc.	05-5754
KYE 5 05-396	Wanda Southerland, etc. v. Merck & Co., Inc.	05-5755
KYE 5 05-397	Elmer Holbrook, et al. v. Merck & Co., Inc.	05-5756
KYE 5 05-400	Jose Fernandez v. Merck & Co., Inc.	05-5757
KYE 6 05-539	Danny Lee Moore, et al. v. Merck & Co., Inc.	05-5758
KYE 7 05-300	Lowell Fairchild v. Merck & Co., Inc.	05-5759
KYE 7 05-301	Fosta Coleman v. Merck & Co., Inc.	05-5760
KYE 7 05-302	Arthur Leedy v. Merck & Co., Inc.	05-5761
KYE 7 05-303	Brandy Gobble, etc. v. Merck & Co., Inc.	05-5762
KYE 7 05-304	James Tackett, etc. v. Merck & Co., Inc.	05-5763
KYE 7 05-305	Charlene Staton v. Merck & Co., Inc.	05-5764
KYE 7 05-306	Barbara Rogers v. Merck & Co., Inc.	05-5765
KENTUCKY WESTERN		
KYW 1 05-164	Beverly Pennington v. Merck & Co., Inc.	05-5766
KYW 1 05-166	Joann Reynolds v. Merck & Co., Inc.	05-5767
KYW 3 05-555	Bardy Bryant, et al. v. Merck & Co., Inc.	05-5768
KYW 4 05-145	Donna Hodges, etc. v. Merck & Co., Inc.	05-5769
KYW 5 05-191	Myrlee I. Ford v. Merck & Co., Inc.	05-5770
LOUISIANA MIDDLE		
LAM 3 05-1113	Jacqueline Gaudin, et al. v. Merck & Co., Inc.	05-5771
LAM 3 05-1114	Kenneth LeBeau, et al. v. Merck & Co., Inc.	05-5772
LAM 3 05-1115	Joseph Corsentino, et al. v. Merck & Co., Inc.	05-5773
LAM 3 05-1120	Corey Truitt, et al. v. Merck & Co., Inc.	05-5774
LAM 3 05-1129	George Dufore v. Merck & Co., Inc.	05-5775
LAM 3 05-1130	Stephen Broyles, et al. v. Merck & Co., Inc.	05-5776
LAM 3 05-1131	Michael Lee Cross, et al. v. Merck & Co., Inc.	05-5777
LAM 3 05-1132	Barney McAdams, et al. v. Merck & Co., Inc.	05-5778
LAM 3 05-1133	Leo Colligan, et al. v. Merck & Co., Inc.	05-5779
LAM 3 05-1150	Michael Davenport v. Merck & Co., Inc.	05-5780

SCHEDULE CTO-29 TAG-ALONG ACTIONS (MDL-1657)

PAGE 2 of 5

<u>DIST. DIV. C.A. #</u>	<u>CASE CAPTION</u>	<u>EDLA</u> <u>Sec. L/3</u>
LAM 3 05-1151	Mercedes Ann Dugas v. Merck & Co., Inc.	05-5781
LAM 3 05-1152	Whitmel Dugas v. Merck & Co., Inc.	05-5782
LAM 3 05-1153	Randy Favron v. Merck & Co., Inc.	05-5783
LAM 3 05-1154	Laurie Hill v. Merck & Co., Inc.	05-5784
LAM 3 05-1155	Jimmy Johnson v. Merck & Co., Inc.	05-5785
LAM 3 05-1156	Janice Jones v. Merck & Co., Inc.	05-5786
LAM 3 05-1157	Emmitt Martin v. Merck & Co., Inc.	05-5787
LAM 3 05-1158	Dianne Noble v. Merck & Co., Inc.	05-5788
LAM 3 05-1159	Ferrell Thomas Morales v. Merck & Co., Inc.	05-5789
LAM 3 05-1160	Percelean Smith v. Merck & Co., Inc.	05-5790
LAM 3 05-1161	Susan Ann White v. Merck & Co., Inc.	05-5791
LOUISIANA WESTERN		
LAW 5 05-1649	Michael J. Labry, et al. v. Merck & Co., Inc.	05-5792
LAW 5 05-1721	Steven L. Hyatt v. Merck & Co., Inc.	05-5793
LAW 5 05-1722	Leamon L. Mitchell, Sr. v. Merck & Co., Inc.	05-5794
LAW 6 05-1514	John Johnson, et al. v. Merck & Co., Inc.	05-5795
LAW 6 05-1575	Abra Vital, et al. v. Merck & Co., Inc.	05-5796
LAW 6 05-1668	Joseph Jaubert, et al. v. Merck & Co., Inc.	05-5797
LAW 6 05-1712	Kenneth R. Touchet v. Merck & Co., Inc.	05-5798
MARYLAND		
MD 1 05-2710	Carol A. Mosley-Sessomes, et al. v. Merck & Co., Inc.	05-5799
MICHIGAN EASTERN		
MIE 2 05-73689	Judy Bussell v. Merck & Co., Inc.	05-5800
MINNESOTA		
MN 0 05-2247	Julie Gault v. Merck & Co., Inc.	05-5801
MN 0 05-2273	Terry Greer, etc. v. Merck & Co., Inc.	05-5802
MN 0 05-2274	Naomi Martin, et al. v. Merck & Co., Inc.	05-5803
MN 0 05-2275	Vivian Brock, et al. v. Merck & Co., Inc.	05-5804
MN 0 05-2276	Madelyn Riffle, et al. v. Merck & Co., Inc.	05-5805
MN 0 05-2277	Ralph P. Frazier, et al. v. Merck & Co., Inc.	05-5806
MN 0 05-2278	Willie M. Cates, et al. v. Merck & Co., Inc.	05-5807
MN 0 05-2279	James Freeman v. Merck & Co., Inc.	05-5808
MN 0 05-2280	Joyce A. McClain v. Merck & Co., Inc.	05-5809
MN 0 05-2281	Mattie M. Lewis v. Merck & Co., Inc.	05-5810
MN 0 05-2283	Donald R. Arnold v. Merck & Co., Inc.	05-5811
MN 0 05-2284	Elisie M. Howse, et al. v. Merck & Co., Inc.	05-5812
MN 0 05-2295	Theresa Sego, etc. v. Merck & Co., Inc.	05-5813
MN 0 05-2296	Paula Cleveland, etc. v. Merck & Co., Inc.	05-5814
MN 0 05-2297	Jessie Gibson, etc. v. Merck & Co., Inc.	05-5815
MN 0 05-2298	Norma Barton, etc. v. Merck & Co., Inc.	05-5816
MN 0 05-2299	Donna J. Mullins, etc. v. Merck & Co., Inc.	05-5817
MN 0 05-2300	Susan Stites Dietz, etc. v. Merck & Co., Inc.	05-5818
MN 0 05-2301	Hubert W. Stratton, II, etc. v. Merck & Co., Inc.	05-5819
MN 0 05-2302	Sue P. Fain, et al. v. Merck & Co., Inc.	05-5820
MN 0 05-2303	Marie Fuss v. Merck & Co., Inc.	05-5821
MN 0 05-2304	Patricia Allison, et al. v. Merck & Co., Inc.	05-5822
MISSOURI EASTERN		
MOE 4 05-1555	Joyce A. Haynes v. Merck & Co., Inc., et al.	05-5823
MOE 4 05-1556	Ronnie Harfris, et al. v. Merck & Co., Inc., et al.	05-5824
MOE 4 05-1557	Ginger Hugo, et al. v. Merck & Co., Inc., et al. Opposed 11/18/05	
MOE 4 05-1572	Thomas Berkley v. Merck & Co., Inc., et al.	05-5825
MOE 4 05-1573	Jesse Lewis, Sr., et al. v. Merck & Co., Inc., et al.	05-5826

SCHEDULE CTO-29 TAG-ALONG ACTIONS (MDL-1657)

PAGE 3 of 5

EDLA
Sec. L/3

<u>DIST. DIV. C.A. #</u>	<u>CASE CAPTION</u>	
MOE 4 05-1574	Barbara J. Canarsky v. Merck & Co., Inc., et al.	05-5827
MOE 4 05-1575	Mary Clarkson v. Merck & Co., Inc., et al.	05-5828
MOE 4 05-1576	Adolf Eisele v. Merck & Co., Inc., et al.	05-5829
MOE 4 05-1577	Gary Necker v. Merck & Co., Inc., et al.	05-5830
MOE 4 05-1578	James Pertl v. Merck & Co., Inc., et al.	05-5831
MOE 4 05-1579	Helen Ruwwe v. Merck & Co., Inc., et al.	05-5832
MOE 4 05-1581	Johannes Verdonkschot v. Merck & Co., Inc., et al.	05-5833
MOE 4 05-1594	Ronald Chickadel, et al. v. Merck & Co., Inc.	05-5834
MOE 4 05-1595	Opal Kaufman, et al. v. Merck & Co., Inc.	05-5835
 MISSOURI WESTERN		
MOW 4 05-878	Catherine Nash, et al. v. Merck & Co., Inc.	05-5836
MOW 4 05-879	Donald Potts, et al. v. Merck & Co., Inc.	05-5837
MOW 4 05-881	Joseph Stampfel v. Merck & Co., Inc.	05-5838
MOW 4 05-883	Cris Vaughan, et al. v. Merck & Co., Inc.	05-5839
MOW 4 05-893	Pauline Binns, et al. v. Merck & Co., Inc.	05-5840
MOW 4 05-895	Iona Patterson v. Merck & Co., Inc.	05-5841
MOW 4 05-913	Willie Kelley, et al. v. Merck & Co., Inc.	05-5842
MOW 4 05-914	Edna Mae LaMastres, et al. v. Merck & Co., Inc.	05-5843
MOW 4 05-916	Mike Tyson, et al. v. Merck & Co., Inc.	05-5844
 MISSISSIPPI SOUTHERN		
MSS 2 05-2065	Haskel D. Nicholson v. Merck & Co., Inc.	05-5845
MSS 2 05-2066	Joyce Cook, et al. v. Merck & Co., Inc.	05-5846
 NORTH DAKOTA		
ND 2 05-100	Debra Nygaard v. Merck & Co., Inc.	05-5847
ND 3 05-99	Jonathan J. Clark v. Merck & Co., Inc.	05-5848
 NEW YORK NORTHERN		
NYN 1 05-1214	Daniel DiCerce, et al. v. Merck & Co., Inc.	05-5849
NYN 5 05-1223	Maria Moraitis v. Merck & Co., Inc.	05-5850
NYN 6 05-1215	Bambi Roman v. Merck & Co., Inc.	05-5851
NYN 6 05-1216	Antonio Caruso, et al. v. Merck & Co., Inc.	05-5852
NYN 6 05-1217	Larry Mantle, et al. v. Merck & Co., Inc.	05-5853
NYN 6 05-1219	Ronald K. Snyder v. Merck & Co., Inc.	05-5854
NYN 6 05-1220	Donald Hext v. Merck & Co., Inc.	05-5855
NYN 6 05-1221	Charles J. Costello, etc. v. Merck & Co., Inc.	05-5856
NYN 6 05-1225	Isabelle Sfinas v. Merck & Co., Inc.	05-5857
 NEW YORK WESTERN		
NYW 6 05-6507	Donald Dorschel, et al. v. Merck & Co., Inc.	05-5858
 OHIO NORTHERN		
OHN 1 05-2277	Jacquelyn Montelon, etc. v. Merck & Co., Inc.	05-5859
OHN 1 05-2278	Eva Wingler, etc. v. Merck & Co., Inc.	05-5860
OHN 1 05-2279	Shirley Pluta v. Merck & Co., Inc.	05-5861
 OHIO SOUTHERN		
OHS 1 05-168	Newt J. Mulkey, et al. v. Merck & Co., Inc.	05-5862
 OKLAHOMA NORTHERN		
OKN 4 05-558	Barbara S. Lovelace, et al. v. Merck & Co., Inc.	05-5863
 OKLAHOMA WESTERN		
OKW 5 05-1134	Mark Turner, et al. v. Merck & Co., Inc.	05-5864

SCHEDULE CTO-29 TAG-ALONG ACTIONS (MDL-1657)

PAGE 4 of 5

EDLA
Sec. L/3DIST. DIV. C.A. #CASE CAPTION

OREGON

OR 3 05-1480

Viola Brown v. Merck & Co., Inc.

05-5865

PENNSYLVANIA EASTERN

PAE 2 05-4923

William A. Burke, et al. v. Merck & Co., Inc., et al.

05-5866

PAE 2 05-5035

Janice Ada-Lindsey, et al. v. Merck & Co., Inc.

05-5867

PAE 2 05-5152

Jerry Oglesby v. Merck & Co., Inc., et al.

05-5868

PENNSYLVANIA WESTERN

PAW 1 05-282

Delores Flake v. Merck & Co., Inc.

05-5869

TENNESSEE EASTERN

TNE 1 05-262

Mable A. Cogdill, et al. v. Merck & Co., Inc.

05-5870

TNE 1 05-266

John M. Maupin v. Merck & Co., Inc.

05-5871

TNE 1 05-270

Fredilyn M. Haynes v. Merck & Co., Inc.

05-5872

TNE 1 05-271

John Hindman v. Merck & Co., Inc.

05-5873

TNE 1 05-274

Lucille M. Jones, et al. v. Merck & Co., Inc.

05-5874

TNE 2 05-256

James H. Gorman, et al. v. Merck & Co., Inc.

05-5875

TNE 2 05-257

James C. Smith, et al. v. Merck & Co., Inc.

05-5876

TNE 3 05-446

Delores Huling v. Merck & Co., Inc.

05-5877

TNE 4 05-65

Robert Liles, et al. v. Merck & Co., Inc.

05-5878

TNE 4 05-68

Clyde P. Hamilton, et al. v. Merck & Co., Inc.

05-5879

TNE 4 05-71

Timothy R. Morris, et al. v. Merck & Co., Inc.

05-5880

TENNESSEE MIDDLE

TNM 1 05-67

Jack D. Auville, et al. v. Merck & Co., Inc.

05-5881

TNM 1 05-68

Carl B. Garner v. Merck & Co., Inc.

05-5882

TNM 2 05-95

Mildred J. Marks, et al. v. Merck & Co., Inc.

05-5883

TNM 2 05-96

Lucille Henry v. Merck & Co., Inc.

05-5884

TNM 2 05-99

Perry B. Looper, et al. v. Merck & Co., Inc.

05-5885

TNM 2 05-100

Gerald E. Shaw, et al. v. Merck & Co., Inc.

05-5886

TNM 2 05-101

Charles Anderson, et al. v. Merck & Co., Inc.

05-5887

TNM 2 05-102

Charles W. Woodard, et al. v. Merck & Co., Inc.

05-5888

TNM 2 05-103

Verna White, et al. v. Merck & Co., Inc.

05-5889

TNM 2 05-104

Norma J. Tucker, et al. v. Merck & Co., Inc.

05-5890

TNM 3 05-737

Larry W. Crutcher, et al. v. Merck & Co., Inc.

05-5891

TNM 3 05-738

John W. Anderson, et al. v. Merck & Co., Inc.

05-5892

TNM 3 05-743

Denise R. Hess, et al. v. Merck & Co., Inc.

05-5893

TNM 3 05-744

Paul R. Uselton, et al. v. Merck & Co., Inc.

05-5894

TNM 3 05-747

Edna Ross v. Merck & Co., Inc.

05-5895

TNM 3 05-749

Barbara Donoho v. Merck & Co., Inc.

05-5896

TNM 3 05-751

Donald L. Young, et al. v. Merck & Co., Inc.

05-5897

TNM 3 05-752

Winifred D. Meyers, et al. v. Merck & Co., Inc.

05-5898

TNM 3 05-753

Robert L. Curtsinger, et al. v. Merck & Co., Inc.

05-5899

TNM 3 05-760

Timothy A. Kidwell v. Merck & Co., Inc.

05-5900

TNM 3 05-767

Robert S. Jaffa, et al. v. Merck & Co., Inc.

05-5901

TENNESSEE WESTERN

TNW 1 05-1271

Alice Partaine v. Merck & Co., Inc.

05-5902

TNW 1 05-1277

Alline Michael, et al. v. Merck & Co., Inc., et al.

05-5903

TNW 1 05-1278

Olice Fields, et al. v. Merck & Co., Inc., et al.

05-5904

TNW 1 05-1285

Marshall Jones, et al. v. Merck & Co., Inc.

05-5905

TNW 1 05-1288

L.Q. Nolan v. Merck & Co., Inc.

05-5906

TNW 1 05-1289

Joel Spencer v. Merck & Co., Inc.

05-5907

TNW 2 05-2702

Robert L. Williamson, et al. v. Merck & Co., Inc., et al.

05-5908

TNW 2 05-2709

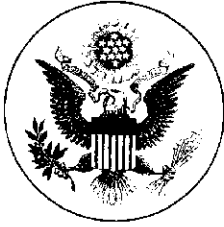
Eloise Jungers v. Merck & Co., Inc.

05-5909

SCHEDULE CTO-29 TAG-ALONG ACTIONS (MDL-1657)

PAGE 5 of 5

<u>DIST. DIV. C.A. #</u>	<u>CASE CAPTION</u>	<u>EDLA</u> <u>Sec. L/3</u>
TNW 2 05-2710	Gaythorne Sadler v. Merck & Co., Inc.	05-5910
TNW 2 05-2711 ✓	Marvin E. Brown, et al. v. Merck & Co., Inc.	05-5911 ✓
TNW 2 05-2716	James Spencer Oakley v. Merck & Co., Inc.	05-5912
TNW 2 05-2725	Beverly Boyd v. Merck & Co., Inc.	05-5913
TNW 2 05-2729	Larry Conrad, et al. v. Merck & Co., Inc.	05-5914
TNW 2 05-2731	Rosetta Williams, etc. v. Merck & Co., Inc.	05-5915
TNW 2 05-2732	Carrie Stewart v. Merck & Co., Inc.	05-5916
 TEXAS EASTERN		
TXE 9 05-191	Kathryn A. Dorsett, etc. v. Merck & Co., Inc.	05-5917
 TEXAS NORTHERN		
TXN 3 05-1912	Guy Mezger v. Merck & Co., Inc.	05-5918
TXN 3 05-1914	Thomas Brown v. Merck & Co., Inc.	05-5919
TXN 3 05-1925	Roger Pierce v. Merck & Co., Inc.	05-5920
TXN 3 05-1939	Alice Sims v. Merck & Co., Inc., et al.	05-5921
 TEXAS SOUTHERN		
TXS 2 05-478	Jose Francisco Cantu v. Merck & Co., Inc.	05-5922
 TEXAS WESTERN		
TXW 5 05-950	Sulema L. Banda, et al. v. Merck & Co., Inc., et al. Opposed 11/16/05	
 UTAH		
UT 2 05-810	Dorothy Canada, et al. v. Merck & Co., Inc.	05-5923
 WASHINGTON WESTERN		
WAW 2 05-1624	Mary Franck, etc. v. Merck & Co., Inc.	05-5924



Notice of Distribution

This notice confirms a copy of the document docketed as number 5 in case 2:05-CV-02711 was distributed by fax, mail, or direct printing on December 20, 2005 to the parties listed.

Charles C. Harrell
BUTLER SNOW O'MARA STEVENS & CANADA, PLLC
6075 Poplar Ave.
Ste. 500
Memphis, TN 38119

Elizabeth J. Cabraser
LIEFF CABRASER HEIMANN & BERNSTEIN, LLP
275 Battery St.
30th Floor
San Francisco, CA 94111--333

Kathryn E. Barnett
LIEFF CABRASER HEIMANN & BERNSTEIN, LLP- Nashville
One Nashville Place
150 4th Ave., N.
Ste. 1650
Nashville, TN 37219--242

Daniel E. Barenbaum
LIEFF CABRASER HEIMANN & BERNSTEIN, LLP- San Francisco
275 Battery St.
30th Floor
San Francisco, CA 94111--333

Paulina Do Amaral
LIEFF CABRASER HEIMANN & BERNSTEIN, LLP- New York
780 Third Ave.
48th Floor
New York, NY 10017--202

Lisa M. Martin
BUTLER SNOW O'MARA STEVENS & CANADA, PLLC
6075 Poplar Ave.
Ste. 500
Memphis, TN 38119

Honorable Bernice Donald
US DISTRICT COURT